

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNNY LYNN OLD CHIEF,

Defendant.

**CR-08-27-GF-BMM-02**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter January 12, 2017. (Doc. 110.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 10, 2017. (Doc. 110 at 2.) Old Chief admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of Old Chief's supervised release. Judge Johnston has recommended that the Court revoke Old

Chief's supervised release and commit Old Chief to the custody of the Bureau of Prisons for six months. *Id.* at 3. Judge Johnston further has recommended that 30 months of supervised release follow his custody period. *Id.* at 4.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Old Chief's violations of his conditions represent a serious breach of the Court's trust. A sentence of six months custody followed by 30 months supervised release represents a sufficient, but not greater than necessary, sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 69) is ADOPTED IN FULL.

**IT IS FURTHER ORDERED** that Defendant Johnny Lynn Old Chief be sentenced to six months custody followed by 30 months of supervised release.

DATED this 30th day of January, 2017.



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Brian Morris  
United States District Court Judge